

JUL 10 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

JERRY E. DAVIS, #342495

Petitioner,

v.

GENE M. JOHNSON, Director of  
Virginia Department of Corrections,  
Respondent.

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Civil Action No. 7:07cv00089

FINAL ORDER

By: Hon. James C. Turk  
Senior U.S. District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that respondent's motion to dismiss shall be and hereby is **GRANTED**; Davis' petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 shall be and hereby is **DISMISSED**; and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to the petitioner and respondent.

ENTER: This 10<sup>th</sup> day of July, 2007.

*[Signature]*  
Senior U.S. District Judge